

January 26, 2010

Public Hearing -

Specific Use Permit: Teel Village, Phase IV, Block A, Lot 8
Child Day Care Center (SUP09-0012)

Owner(s): Hebron Heights-1, L.P.

DESCRIPTION:

A request for a Specific Use Permit for a Child Day Care Center on one lot on 2.8± acres on the south side of Main Street, 250± feet east of Calimar Drive. Zoned Commercial-1. Neighborhood #42. SM

REMARKS:

This is a request for a Specific Use Permit (SUP) to allow for a Child Day Care Center. The applicant has indicated that the 12,155 square foot facility will have a maximum capacity of 200 children ages six weeks to six years old with an after school program for children up to twelve years old.

The applicant has met with a representative from each of the adjacent Homeowners' Associations. No concerns were expressed regarding the proposed use for a child day care center.

Zoning and land use of the surrounding properties are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Residential (The Trails, Phase 1)	Planned Development- 75-Patio Home	Residential
East	Vacant	Commercial-1	Retail
South	Residential (Heritage Village, Phase II)	Planned Development- 99-Patio Home	Residential
West	Residential (Westfalls Village, Phase 1)	Planned Development- 41-Patio Home	Residential

The Zoning Ordinance lists four criteria in determining the appropriateness of the SUP Request. The following are the four criteria and staff's comments on each of the criteria:

1. Is the property harmonious and compatible with its surrounding existing uses or proposed uses?

Day cares are allowed in several residential and non-residential zoning districts with the approval of an SUP. The operations of the child day care facility can function within a retail center. To the north of Main Street is a child day care center within a retail center. This facility, in addition to the day care to the north and others in the vicinity, provides a service to the adjacent residential neighborhoods.

The Comprehensive Plan recommends that:

- Day care centers should be located along major and minor thoroughfares, or as part of a mixed use development located on a collector street or higher.

The proposed child day care center is located in a retail center on the south side of Main Street, a major thoroughfare. The day care center has access to Main Street through the retail center. The day care is compatible with surrounding retail and residential uses.

- Day care centers should have direct access from a median opening.

The day care center has access to a median opening on Main Street through the retail center.

- The architectural character of day care centers should be compatible with surrounding residential uses (other surrounding uses also noted).

The facility is separated from the adjacent residential to the south by a drainage and detention pond and outdoor play space and from the residential to the west by a required landscape buffer and outdoor play space. Screening is also provided between this use and the adjacent residential uses. As the structure is physically separated from the adjacent residential uses and is integral to the retail center, it has been designed to be compatible with the surrounding retail buildings.

- Parking areas should be screened with landscaping or berms.

Parking adjacent to Main Street has been allocated to an adjacent lot within a parking easement. It will be screen with required landscape along the property line. The required parking for the child day care center is located interior to the site.

- Day care centers should not be located at residential subdivision entrances.

The day care center is not located at a residential subdivision entrance.

2. Are the activities requested by the applicant normally associated with the requested use?

This facility directs its business to children and their development. This type of use is commonly found in retail centers.

3. Is the nature of the use reasonable?

The use of a child day care center is reasonable at this location. The outdoor play space provided is 14,621 square feet, which exceeds the 13,000 square feet required for 200 children (65 square feet per child). Adequate stacking and parking are provided.

4. Has any impact on the surrounding area been mitigated?

This use does not create any negative impacts on the surrounding retail properties. A six foot masonry screening wall is proposed along the western property line and a solid living screen is proposed on the southern property line. The living screen is subject to Planning & Zoning Commission approval. A living screen is proposed along the southern property line because the residents to the south had requested that the living screen placed on the retail center to the east be extended when this site developed. Staff supports the living screen.

SUMMARY:

In staff's opinion the request meets the four criteria for approval of the Specific Use Permit.

RECOMMENDATION:

Recommend for approval subject to a maximum of 200 children.